

POPE PLEA IS PUT IN AFFIDAVIT

In Application for Bail Slayer of
Chitwood Claims Self Defense
and Accident in Justification

DRINK PLAYS PART IN TRAGEDY, HE SAYS

Defendant Tells Story of Events
Leading Up to Killing; Other
Testimony Offered by
the State

Hugh Pope, bound over to the action of the district court on the charge of murder yesterday by Justice T. P. Moore, will plead self defense and that the shot which killed Marvin Chitwood at Minco last Friday morning was fired by accident. This was made plain in an affidavit Pope has prepared to present to the court in his application for bail, which, he says, he can furnish in a reasonable sum.

The affidavit, prepared this morning, is the first intimation from the defendant as to what explanation he will make of the tragedy. It recounts the deeds of the evening before the killing and tells of the killing itself, for which Pope lays the blame upon Mr. Chitwood, declaring that no harm would have resulted had the father of the boys not grasped Pope around the arms. He claims that the shot that killed Marvin Chitwood was accidental, that he did not see either of the boys after he was clinched by Mr. Chitwood, and that he did not know he had shot the boy when he left the barber shop for Dr. Hume's office. He also declared that all the boys were drinking and part of them were intoxicated.

In his statement Pope says he is 23 years of age and married. According to his story, sworn to before a notary public this morning, he declared that he, the two Chitwood boys, John and Leo Rice, Jim Dunaway, another man whom he did not know and George Cook were in the pressing shop adjoining the Chitwood barber shop at about 9 or 10 o'clock, and that they stayed there about two hours.

Most all of the boys were drinking, he said, including both the Chitwood boys, and part of them were intoxicated. "We all went out of the shop together," the affidavit says, "and I began to play with Marvin Chitwood. I was not angry. He struck me a time or two then we clinched. He got up and ran down the street."

"Jim Dunaway and I then walked down the street to the First National bank corner, where the two Chitwood boys were standing," Pope declares that Merrill Chitwood said something to him about jumping on his brother, then hit him in the mouth, knocking him into the street and following him up, getting on him after he was down. After Merrill Chitwood let him up, Pope says that he and George Cook walked up to the Walden hotel. From here, Pope went to Mr. Chitwood's house, told Mr. Chitwood that he had two boys down town who were not in condition to take care of themselves as they were drinking, and Mr. Chitwood had better go down and take care of them as they were liable to get hurt.

"I told him," the statement says, "that I wanted to go back there and get my hat. He said he would go down to the shop."

Pope then explains why he went back to the barber shop just before the killing, why he entered the shop and how the Chitwood boy was killed. He declares that he went on back to the shop after his hat, found it, saw the shop door open with a dim light and the men in there, so went in to explain to Mr. Chitwood how the trouble came up. "One of the boys started around a chair between me and the two doors," he says, "I backed up and told him to stop. I thought he was going after a razor and got out my gun to defend myself."

At this instant, according to the statement, Mr. Chitwood grasped the defendant around the arms just above the boys and shoved him back toward the door. "My head," he says, "was pressed tightly against the right shoulder of Mr. Chitwood. He shoved

me into the door, and the gun was accidentally discharged." This is the shot that pierced Marvin Chitwood's breast. After he was pushed through the door, Pope declared that Mr. Chitwood shoved down the hand that was holding the pistol and the gun was discharged again he does not know whether by himself or by the hand of Mr. Chitwood.

When Pope was loose from the father of the two boys, he declares he saw blood on his shirt and supposed that one of the shots had hit Mr. Chitwood. He did not see either of the boys after he was clinched.

Moreover, the youth declares that he had no other purpose in going back to the shop except to get his hat, that he entered the shop to explain the trouble to Mr. Chitwood, not expecting any further trouble.

In explaining his possession of the pistol, Pope declares that he had it in the barber shop earlier in the evening and that he had it when he was talking to Mr. Chitwood after the first trouble with the boys. He denies that he told Mr. Chitwood that he would kill the two boys, declares that he did not shoot Marvin Chitwood intentionally nor fire the gun intentionally, that he did not nor could not see either of the boys when the shot was fired, and that no harm would have resulted had not Mr. Chitwood grasped him around the arms and shoved him toward the door.

"After I went into the building," he says, "I thought they intended to kill me and I drew my gun to keep the parties from arming themselves." He declares that he walked immediately to Dr. Hume's office, about seventy-five steps away, where he arrived very much excited.

George Cook testified that when he was walking up the street with Pope immediately after the trouble on the bank corner with Merrill Chitwood, that Pope told him he was going to get his gun and kill both of the Chitwood boys. Young Cook, who did not appear to be more than 17 years old, was considerably mixed up by the cross examining attorney, Mr. Riddle, contradicting his own testimony and that of the other witnesses several times.

The audience laughed several times during the testimony of Dr. Hume, who seemed to be fearful of committing himself as to the cause of Marvin Chitwood's death. He testified that he examined the body shortly after death, that he probed for the bullet and could not determine what course it had taken, but declared at the same time that he did not know whether the lad met his death from the bullet wound or from some other cause.

The prosecuting attorney seemed to be attempting to get a statement from the attending physician to go on the records and pressed him for his opinion as to the cause of death. Repeatedly on being asked what he thought

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TUCKER IS RELEASED BY COURT

John Tucker was dismissed on the charge of selling liquor to a minor this morning when in his preliminary hearing before Judge R. E. Davenport the state's witnesses swore that they bought "temp brew" from Mr. Tucker instead of beer.

The chief witness for the state was Orville Earhart, who is himself awaiting sentence after pleading guilty to forgery. He declared on the stand that he bought four bottles from Mr. Tucker at one time and six others at two different times, but that they were filled with non-alcoholic beverages.

Earhart will probably be sentenced some time this week, officers state.

DEATH TOLL IS NOW 888

Chicago, July 27.—According to the figures this morning the total loss of life in the Eastland disaster reaches 888.

Secretary Redfield, who will conduct an investigation, says no official incompetence will be assumed but none will be pardoned if found.

It is believed that there are still four hundred bodies in the boat.

SAYS STILL POSSIBLE TO SAVE BREAK

Under Foreign Secretary at Berlin
Sees Prospect of Settlement
of Submarine Controversy
with U. S.

ENGLAND MAY MODIFY ORDER

Additional Advances Today Indicate
Disposition to Alter Attitude;
Extra Session Rumor Revived at Capital

By United Press.
Berlin, July 27.—There is still a chance for the satisfactory termination of the German submarine controversy with the United States, according to the view expressed by one high official here today.

In an interview with the United Press correspondent, Under Foreign Secretary Zimmermann said he still had hopes that an adjustment of the American situation is possible.

Zimmermann says in this day it is possible for two great nations to differ without breaking the friendly relations that exist between them.

Germany intends to stand firm in the position she has taken but she will do nothing to bring about a break with the United States, said the official quoted.

England May Recede.

By United Press.
Washington, July 27.—Additional word came from England today in regard to the order-in-council situation, indicating some disposition to recede from the position taken in the communication which was received here yesterday.

Officials express the view that the present attitude of the British foreign office may mean a modification of the international situation.

Work on Army Plan.

By United Press.
Washington, July 27.—Secretary Garrison has called on the chief of staff and the assistant chief to work on a tentative plan for the reorganization of the army.

It is again rumored that there will be an extra session of congress. President Wilson is said to be desirous of having congress called to meet October 1, but he will not issue the call for an early session if there is any likelihood that foreign nations may misinterpret the move.

200 MINERS TRAPPED

By United Press.
Herrin, Ill., July 27.—Two hundred coal miners were imprisoned, it is reported, following an explosion in a mine near here.

At noon it was stated that twenty-five badly burned men had been rescued from the mine, and efforts were being made to reach others.

WEATHER ELSEWHERE.

Western Union reports received at 8 a. m.:

Texas.
Light showers at Beaumont, Francis and Galveston; other parts of state clear and hot.

Oklahoma.
Clear and calm; no rain.

WEATHER FORECAST.

For Oklahoma.

Generally fair tonight and Wednesday; not much change in temperature.

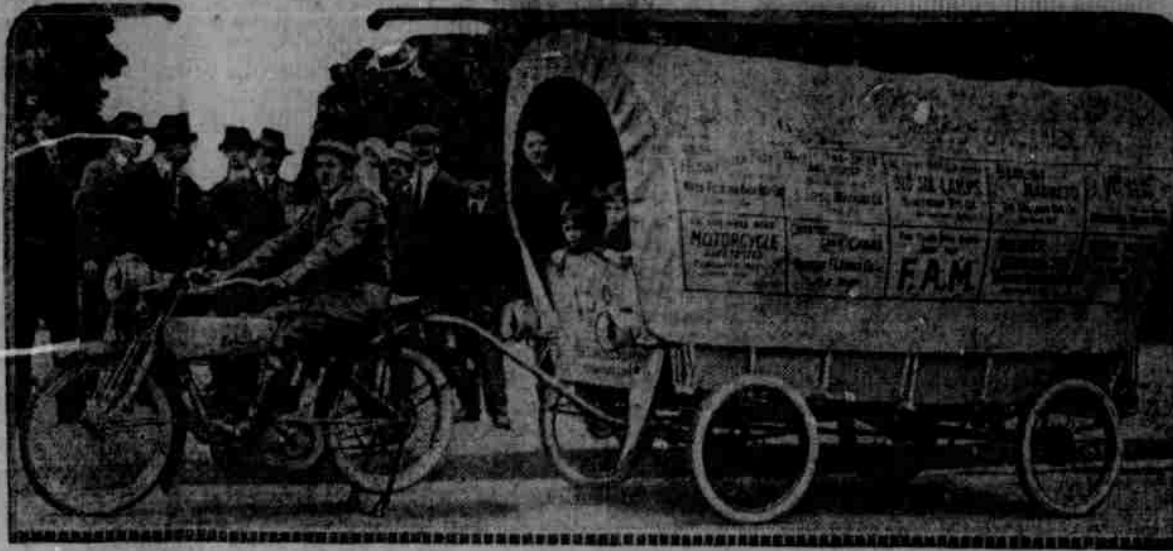
Local Temperature

During the twenty-four hours ending at 8 a. m.

Maximum - 92

Minimum - 64

FINDS NOVEL USE FOR HIS MOTORCYCLE



F. A. Cole of Stamford, Conn., is an enthusiastic motorcyclist. Ingenious New Englander that he is, he has discovered a new use to which his cycle may be put. For instance, when he decided to make an overland trip with his family to the San Francisco exposition, he planned a prairie schooner to be drawn by his motorcycle. The result is shown in the picture.

SIX MEN HELD AS SUSPECTS

Arrested in Connection with Dallas
Dynamite Doin'; Later All
But One Released; Rela-
tive of Man Bombed

By United Press.
Dallas, July 27.—All but one of the men who were held in connection with bombing here last night have been released by the police. The one suspect who is still held is a relative of the older Moore and had been discharged from the Padgett factory a week ago. No charge has yet been placed against him.

The police think the attempt to bomb the Padgett home was a blind bid to hide the motive of that of the Moore place. Their theory is that private motives for making away with Moore inspired the crime.

By United Press.
Dallas, July 27.—Six men are being held under suspicion of being implicated in the unsuccessful attempt to blow up the home of J. D. Padgett, president of a big local saddlery company, and a successful effort to bomb W. T. Moore and his son, who are employed by the Padgett company.

It is understood, however, that there is no very strong evidence against the men. It is expected that the Moores will recover.

Padgett announces that he will quit making saddles for the allies. A bomb, it develops, was placed under the bed in which his two year old granddaughter was accustomed to sleep. The bed was located on a sleeping porch.

Moore and his son were sleeping in the same bed. Probably the fact that the mattress was between them and the exploding bomb saved their lives. The bomb apparently had been thrown through an open window. A large hole was torn through the floor; the walls of an adjoining room collapsed into the faces of its sleeping occupants and the floor of the bedroom above was torn from the walls at this side.

Just before the explosion, a woman standing on the opposite side of the street, saw a man run out from the back of the Moore residence. As the man disappeared, the explosion occurred, shaking houses three blocks away.

Padgett brothers have large contracts for saddles and harness for the French and English governments.

BLACKBURNE AND HUTSON WIN IN GOLF TOURNEY

G. Blackburne and L. C. Hutson are the golf champions in classes A and B respectively in the local golf club. They proved their superiority in the wielding of the club on the Country club links yesterday, each of them winning at the eighteenth hole after a hard contest for first place.

Ford Witherspoon and Fred Frey contended in the finals with the winners for first honors in classes A and B, respectively. This ended the second big tournament held by the local club.

Will Try Flushing of Down-Town Pavement

Mayor Coffman thinks it would be just as cheap to flush the down-town streets every morning as to sweep them. He says he is positive it will be better to have a washed pavement every morning with all the dust and germs in the sewer than to have a swept one with much dust and germs in the atmosphere and on the sidewalk, so he is trying out the new plan this week.

The down town section was flushed last night and the experiment will be repeated until officers can find out about what the difference in cost is. "We have plenty of water," Mr. Coffman said, "and we are positive the new plan will be much better if it will take no more labor."

TWO SEEK DIVORCE

The matrimonial business received a jolt this morning when instead of a single application for permission to try the married life, two petitions were filed by parties who had decided that two could not live together with nearly so much satisfaction as could each live separately.

The petitions for divorce were filed with District Clerk Newman by Mrs. Eva E. Miller against Robert D. Miller, and by Mrs. Bonnie Bearce against A. J. Bearce. The first petition alleges that the plaintiff and the defendant were married on June 22, 1910, but that they had not lived together since October 5 of the same year. Moreover, she alleged that even during the time that the two did live together, the defendant failed to support his wife, was cruel and inhuman and guilty of gross neglect.

Mrs. Miller states that there have been no children born to the union, that she desires her maiden name, Eva E. Sorrells, restored, the costs of the suit and whatever other relief the court shall judge proper.

In her petition, Mrs. Bearce alleges that she and the defendant were married on July 18, 1912. She not only alleges non-support and neglect, but also that the defendant has been guilty of taking other women on trips while she was being neglected and that he was guilty of gross neglect when he left her alone after she was severely burned in April, 1914.

She desires the custody of the child, the restoration of her maiden name, costs of the suit and such other relief as the court shall deem proper.

TEACHERS' EXAMS HERE.

Examinations for teachers in Grady county are to be held by County Supt. M. H. Shepard in Chickasha Thursday, Friday and Saturday. At the same time, the regular examining board will be holding examinations at Edmond, the one being held here merely to accommodate teachers in saving them the expense of going to Edmond. Mr. Shepard will have charge of the work here.

TWO MARRIAGE LICENSES.

Marriage licenses were issued yesterday for James Ratliff, 23, Naples, and Miss Bessie Ogil, 18, Naples; and H. E. Wendt, 21, Anadarko, and Miss Nettie Carlton, 18, Anadarko.

GERMANS REPULSED IS REPORT

Petrograd Claims Hindenburg is
Halted; Liner Chased by Subma-
rine; Artillery in Action Again
on Western Front

By United Press.
Petrograd, July 27.—Gen. Von Hindenburg with his Germany army was halted and thrown back in his effort to drive the Russians back on the Bug river, says a statement issued by the war office here today.

It is claimed that the enemy was repulsed from Ozp to Oluski. The war office says all the attacks made by the invading forces during the past day along the Narew river were repulsed by the Slavs.

British Losses Total 330,895.

By United Press.
London, July 27.—Premier Asquith announced today that Great Britain's military and naval losses in dead, wounded and missing since the war began have reached a total of 330,895 men.

Liner Is Chased.

By United Press.
London, July 27.—A submarine chased the White Star liner Baltic but was driven off by a British patrol boat, according to the stories told by passengers on the vessel.

Artillery Again Booms.

By United Press.
Paris, July 27.—Artillery duels along the Belgian coast sand dunes were renewed today after a lull of several weeks.

The Germans bombed East Dunkirk and Furnes and the French retaliated by shelling Westende and Middlekirk.

Austrian Ships Bombard.

By United Press.
Rome, July 27.—Austrian warships bombarded Fano and aeroplanes attacked Ancona but no great damage was done.

Miss Corbett Becomes Bride of N. Y. Man

Miss Florence Corbett, a sister of Mrs. T. B. Losey of this city, and Mr. Moss Kemp of Rome, N. Y., were married this morning in Albany, N. Y., where Miss Corbett had been visiting. After a luncheon given at noon in their honor they left for a three weeks' motor trip through the Berkshires Hills. They will then take a cottage in the Adirondacks for the remainder of the summer.

Miss Corbett was a teacher in Columbia University, New York, until two or three years ago, when she accepted a position of dietitian at Princeton University. She has many Chickasha friends, having visited in this city several times. Mr. Kemp is superintendent of the Rome Wire Works in Rome, and he and his bride will make their home just outside of the city.

Mrs. Geo. Sherman of Denison, Tex., is a guest at the home of her daughter, Mrs. I. W. Parker.

GLOOMY PICTURE PAINTED

British Bishop Returns from Visit
to Battlefronts; Reports Lamen-
table Lack of Men and
Munitions

CONSCRIPTION IS URGED AS REMEDY

Spirit of Troops Amazing But They
Need Rest and Better Equip-
ment to Conquer Foes
of England

BY ED. L. KEEN.

London, July 17.—(By mail.)—The only way in which England can hope to conquer Germany is by conscription "national service," as he calls it—says the Rt. Rev. Michael Pusey, bishop of Pretoria, in a letter written just after his return to London from a month's visit among the British troops in northern France and Flanders.

He paints a gloomy picture of the present situation, due to the lamentable lack of munitions as well as men on the British front. But for the spirit of the individual soldier he has only words of praise.

"I never doubted that the spirit of our troops," he says, "was as fine as I had been told it was; but I never realized what this meant until I had lived in it and with it. It is amazing, and all the more so when you realize that this spirit is there in spite of the fact that the men who show it feel in their bones that somehow the nation is not backing them as the nation could and should. The reason is not far to seek."

"After fighting desperately day and night for days and weeks, with frightful losses, the men who are left are dog tired and need a rest. When they are 'pulled out' to get this rest, and after three days are sent back into the firing line again, the only conclusion they can draw is that there are not enough troops available to take their places."

"When, night after night and day after day, men in the trenches know that for every one hand grenade or rifle grenade or trench mortar bomb which they throw at the enemy they will get back in answer anything from five to ten, then the conclusion they draw is also obvious—namely, that the nation does not somehow realize the situation, or, if it does, has not made it its business to supply what is necessary."

"Man for man they know that they have nothing to fear either from German infantry or cavalry; they have proved it again and again. But they know also that it is little short of murder for a nation to ask men, however full of the right spirit, to face an enemy amply equipped with big guns and the right kind of ammunition unless they are at least equipped with equally effective munitions of war."

"There can be only one impression left on the minds of men in such a case, and that is, that somehow or other the nation does not know the truth, does not understand, and is not backing them, for knowing the old country as they do, they have no doubt that if Germany can produce these things we can if we will. And yet, in spite of it all, they carry on, they cheer, they do their best, they die gallantly."

"The fact is that as a nation we are just gambling on this spirit. We know it to be there; we recognize it as the finest thing in the world; we believe it is unconquerable, whatever happens. 'So it is; but it will not win the war alone. It is this spirit, backed by guns and high explosives—legitimate munitions of war—which is going to smash this enemy of ours, and nothing else. Let no one think that we are going to do it descending to the level of the German imperial staff and using any sort of gas. This talk of reprisals by gas (perhaps next we shall hear of reprisals by poisoning water supplies!) is simply another method of chloroforming the nation and blinding its eyes to the real issue."

"The British soldier might well ask: 'Why should I be punished for refusing to go into the trenches because my pay is not raised a penny an hour, and the

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